

Section 8

DISPUTE RESOLUTION PROCESS



Area: DISPUTE RESOLUTION

Introduction: The “Notice of Procedural Safeguards” provides parents of children with disabilities, surrogate parents, and adult students a full explanation of their educational rights. The IDEA (Individuals with Disabilities Education Improvement Act) is a federal, special education law that requires school districts to provide a free appropriate public education (FAPE) to eligible children with disabilities.

Mediation services are available, at no cost to the family or the school district, to help resolve problems involving the identification, evaluation, educational placement, and provision of FAPE to eligible students. Mediation is available whenever a due process hearing is requested. Mediation services are provided through the Office of Superintendent of Public Instruction (OSPI), who currently uses Sound Options Mediation and Training Group, LLC.

The school district or the parent may initiate a due process hearing regarding any action the district proposes or refuses related to the identification, evaluation, or educational placement of a student with disabilities, or the provision of special education and related services. OSPI is responsible for conducting due process hearings.

<i>PROCEDURES</i>	<i>FORMS</i>	<i>RESPONSIBILITY</i>	<i>TIMELINE</i>	<i>SOURCE</i>
<p>To access the statewide mediation system, a request for mediation services may be made in writing or verbally to administrative agents for the OSPI. Written confirmation of the request shall be provided to both parties by an intake coordinator and a mediator shall be assigned to the case.</p>		Individual filing mediation	As needed	WAC 392-172A-05060 through WAC 392-172A-05085
<p>A due process hearing is requested by mailing a notice directly to OSPI. The notice must contain:</p> <ul style="list-style-type: none"> • Name of the student • Address of the residence of the student • Name of the school the student is attending • A description of the nature of the problem and the facts related to the problem • A proposed resolution of the problem • Explanation of the concerns of the parent in general or specific terms 	Due Process Hearing Request Form	Individual filing due process	May file as needed, then will follow due process timeline provided by OSPI	